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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ORACLE USA, INC., *et al.*,
Plaintiffs,
v.
SAP AG, *et al.*,
Defendants.

CASE NO. 07-CV-01658 PJH (EDL)

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' ADMINISTRATIVE
MOTION TO PERMIT PLAINTIFFS
TO FILE UNDER SEAL
DEFENDANTS' INFORMATION
SUPPORTING PLAINTIFFS'
OPPOSITION TO DEFENDANTS'
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Pending before this Court is Plaintiffs' Administrative Motion to Permit Plaintiffs to File Under Seal Defendants' Information Supporting Plaintiffs' Opposition to Defendants' Motion for Partial Summary Judgment (the "Motion to Seal"). Through the Motion to Seal and supporting documents, Plaintiffs Oracle USA, Inc., Oracle International Corporation, Oracle EMEA Limited, and Siebel Systems, Inc. (collectively, "Oracle"), together with SAP AG, SAP America, Inc., and TomorrowNow, Inc. (collectively, "Defendants," and with Oracle, the "Parties"), request an Order sealing (1) Excerpts from Defendants' document entitled "SAP AG, Fair Value of Certain Assets, Liabilities and Legal Entities of Business Objects S.A. As of January 21, 2008," produced in this litigation as Bates Numbers SAP-OR 00802513-517 and attached as Exhibit 44 to the Declaration of Paul K. Meyer in Support of Plaintiffs' Opposition to Defendants' Motion for Partial Summary Judgment ("Meyer Declaration"), as well as the corresponding text in Paragraph 40(b) of the Meyer Declaration; and (2) Portions of Plaintiffs' Opposition to Defendants' Motion for Partial Summary Judgment Regarding Plaintiffs' Hypothetical [Fair Market Value] License Damages at 22:13-14 and Portions of the Declaration of Lawrence Ellison at 3:21-23 referencing payments made pursuant to the database reseller's agreement between the parties.

Having considered Plaintiffs' Motion to Seal and the documents filed in support, IT IS HEREBY ORDERED THAT: Plaintiffs' Motion to Seal is GRANTED. The Clerk of the Court shall file under seal the unredacted versions of the following documents that were lodged with the Court on September 23, 2009: Plaintiffs' Opposition to Defendants' Motion for Partial Summary Judgment Regarding Plaintiffs' Hypothetical [Fair Market Value] License Damages, Declaration of Paul K. Meyer in Support of Plaintiffs' Opposition to Defendants' Motion for Partial Summary Judgment ("Meyer Declaration"), Exhibit 44 to the Meyer Declaration, and the Declaration of Lawrence Ellison.

DATED: November 2, 2009

